



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

*October 6, 2022*

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### **Rensselaer City Court Judge Should Be Censured for Asserting Her Judicial Office While Practicing Law**

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The New York State Commission on Judicial Conduct has determined that Kathleen L. Robichaud, a part-time Judge of the Rensselaer City Court (Rensselaer County) who also practices law, should be censured for improperly asserting her judicial office while representing a client.

Judge Robichaud, who was previously admonished by the Commission, agreed to the censure.

In connection with her law practice, Judge Robichaud used an email address that specifically referred to her being a judge: "[judgeklr@...](mailto:judgeklr@...)" In 2019, she used that email address on numerous legal documents in seven different courts while representing a client on a variety of traffic tickets and on a child support and custody matter. In addition, on a Consent to Change Attorney form that required notarization, she crossed out the words "Notary Public" and wrote "City Court Judge" beneath her signature, erroneously believing she could witness and sign the form as a judge in lieu of being a notary

public, despite the fact that she was neither an independent third party nor disinterested in the transaction.

### **Prior Discipline**

In 2007, Judge Robichaud was admonished for delay in rendering decisions in 22 matters and failing to report the delays to court administrators as required.<sup>1</sup>

In censuring Judge Robichaud, the Commission considered her prior discipline an aggravating factor, noting that: “Given her prior admonition by the Commission, [Judge Robichaud] should have been attentive to her obligation to comply with the Rules.”

Judge Robichaud has been a Judge of Rensselaer City Court since 1996. Her current term expires on December 31, 2025.

### **Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“Part-time judges who practice law must scrupulously avoid even the appearance of asserting their judicial title for the benefit of private clients. Using an email address as an attorney – that announces you are also a judge – crosses an ethical line and undermines the integrity of the judiciary.”

### **The Commission Proceedings**

Judge Robichaud was served with a Formal Written Complaint dated March 15, 2022, containing one charge, and filed an Answer dated April 22, 2022.

On July 15, 2022, the Administrator of the Commission and Judge Robichaud entered into an Agreed Statement of Facts, stipulating to the facts and sanction and waiving further submissions and oral argument.

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<sup>1</sup> <https://cjc.ny.gov/Determinations/R/robichaud.htm>

The Commission accepted the Agreed Statement on August 11, 2022.

### **The Commission Determination**

The Commission filed a determination dated August 24, 2022, in which all eleven members concurred: Joseph W. Belluck, Esq. (the Commission Chair), Taa Grays, Esq. (the Vice Chair), Judge Fernando M. Camacho, Jodie Corngold, Judge John A. Falk, Judge Angela M. Mazzarelli, Judge Robert J. Miller, Marvin Ray Raskin, Esq., Ronald J. Rosenberg, Esq., Graham B. Seiter, Esq., and Akosua Garcia Yeboah.

### **Court of Appeals Review**

The Commission transmitted its determination to the Chief Judge of the Court of Appeals, pursuant to Judiciary Law Section 44, subdivision 7. The Commission was notified on October 4, 2022, that Judge Robichaud had received the determination. Consequently, the matter is now public.

A judge may either accept the Commission's determination or, within 30 days from receipt, make a written request to the Chief Judge for a review of the determination by the Court of Appeals.

Pursuant to Judiciary Law Section 44, subdivision 7, if Judge Robichaud does not request review by the Court of Appeals, the Commission will censure her in accordance with the determination.

If a Commission determination is reviewed by the Court of Appeals, the Court may accept the determined sanction, impose a different sanction including admonition, censure or removal, or impose no sanction.

### **Statistics Relating to Prior Determinations**

Since 1978, the Commission has issued 344 determinations of censure against judges in New York State. The Commission has issued 178 determinations of removal and 280 determinations of admonition.

The Court of Appeals has reviewed 101 Commission determinations. The Court accepted the Commission's sanctions in 85 cases (76 of which were removals, six were censures and three were admonitions). Of the remaining

16 cases, two sanctions were increased from censure to removal, and 13 were reduced: nine removal determinations were modified to censure, one removal was modified to admonition, two censures were modified to admonition, and one censure was rejected and the charges dismissed. The Court remitted one matter to the Commission for further proceedings.

### **Counsel**

Judge Robichaud represented herself.

The Commission was represented by Deputy Administrator Cathleen S. Cenci, Senior Attorney Kathleen E. Klein and Investigator Laura Misjak.

### **Background Information on Judge Robichaud**

First Took Office:	1996
Current Term Expires:	December 31, 2025
Year Admitted to NYS Bar:	1990

### **Members of the Commission**

The Commission members serve four-year terms. A list of members is appended.

### **The Public File**

The determination and other records are available on the Commission's website: [www.cjc.ny.gov](http://www.cjc.ny.gov).

**MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT**

<b>Member</b>	<b>Appointing Authority</b>	<b>Term End</b>
Joseph W. Belluck, Esq., Chair	Former Governor Andrew M. Cuomo	March 31, 2024
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2023
Hon. Fernando M. Camacho	Former Chief Judge Janet DiFiore	March 31, 2024
Jodie Corngold	Former Governor Andrew M. Cuomo	March 31, 2023
Hon. John A. Falk	Former Chief Judge Janet DiFiore	March 31, 2025
Hon. Angela M. Mazzarelli	Former Chief Judge Janet DiFiore	December 31, 2022 <sup>2</sup>
Hon. Robert J. Miller	Governor Kathy Hochul	March 31, 2026
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2026
Ronald J. Rosenberg, Esq.	Former Senate Minority Leader John J. Flanagan	March 31, 2024
Graham B. Seiter, Esq.	Assembly Minority Leader William A. Barclay	March 31, 2025
Akosua Garcia Yeboah	Former Governor Andrew M. Cuomo	March 31, 2025

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<sup>2</sup> Judge Mazzarelli's term on the Commission will end upon her retirement from judicial office on December 31, 2022.